

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

CRAIG DOWLING,

Plaintiff,

v.

3:07-cv-163

TIM HUTCHISON, et al.,

Defendants.

**ORDER**

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. § 1983, in which plaintiff alleges he was assaulted by the defendant jailers at the Knox County Detention Facility. The matter is before the court on various motions filed by the parties.

Defendant Hurst, by the special appearance of counsel, filed a motion to quash insufficient service of process. Defendant Hurst subsequently filed a general answer to the complaint. Accordingly, the motion to quash [Court File No. 24] is **DENIED** as **MOOT**.

Plaintiff is now in the custody of the Tennessee Department of Correction. He filed this action while housed at the Whiteville Correctional Facility in Whiteville, Tennessee. Plaintiff has temporarily been transferred to the Knox County Jail pending an ongoing criminal matter. He has filed a motion for extension of time to respond to any motions or documents that are sent to him at the Whiteville Facility. Plaintiff has also filed a motion to

stay these proceedings during his confinement in the Knox County Jail, based upon the fact that he was not allowed to bring with him the materials relevant to this case and that, as a maximum security inmate, he is not allowed access to the jail's law library.

Under the circumstances, the motion to stay [Court File No. 26] is **GRANTED**. The court will hold this matter in abeyance pending plaintiff's return to the Whiteville Correctional Facility or other state prison. Plaintiff is **ORDERED** to inform the court of his return to a state prison, within ten (10) days of such transfer. Plaintiff is also **ORDERED** to inform the court, within thirty (30) days of the date of this order, of the status of his pending Knox County criminal case. Plaintiff's motion for extension of time [Court File No. 23] is **DENIED** as **MOOT**.

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge